

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

JERRY PATTERSON,

Petitioner,

v.

Case No. 1:15-cv-01300-JDB-egb
Re 1:14-cr-10004-JDB

UNITED STATES OF AMERICA,

Respondent.

ORDER DIRECTING GOVERNMENT TO RESPOND TO MOTION

On August 22, 2019, Petitioner, Jerry Patterson, through counsel, file a document styled “Petitioner’s Fourth Supplemental Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255.” (Docket Entry (“D.E.”) 34.) The document asks the Court to reconsider its order (*see* D.E. 22) denying his claim under *Johnson v. United States*, 135 S. Ct. 2551.¹ (*Id.* at PageID 160.) He argues that “cases currently pending [before] the Sixth Circuit Court of Appeals” support his argument that he no longer qualifies as an armed career criminal. (*Id.* at PageID 159.) Respondent, the United States of America, has not responded to the motion within the time provided under Local Rule 7.2. The Government is therefore ORDERED to file a response to the motion within fourteen days of the entry of this order.

¹On February 6, 2019, the Court lifted the stay of proceedings in this case in light of the United States Supreme Court’s decision in *United States v. Stitt*, 139 S. Ct. 399 (2018). (D.E. 22 at PageID 101). By that same order, the Court denied Petitioner’s *Johnson* claim, and directed Respondent, United States of America, to file a response to the remaining claim. (*Id.* at PageID 105-06.) Respondent filed its response on April 28, 2019. (D.E. 33.)

IT IS SO ORDERED this 9th day of September 2019.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE